

REMARKS/ARGUMENTS

Entry of the present amendments and reconsideration of all claims remaining of record as presently amended are earnestly requested. Claims 1-28 are currently pending. By this amendment, the claims 1, 2, 7-9, 11 and 21 have been amended to correct minor informalities identified by the Examiner in the December 13, 2005 Official Action. Moreover, applicants have amended claims 2, 3, 5, 6 and 8-15 to obviate the Examiner's rejections under 35 U.S.C. § 112, second paragraph, and to more clearly set forth and distinctly claim applicants' invention. In addition, the word "network" has been deleted amended at page 9, paragraph 24, of the specification to correct a minor typographical error. Applicants respectfully submit that the claims as presently amended set forth combinations of features recited in claims previously presented and considered and, therefore, should not require further additional searching.

The rejections of claims 10, 11, 16-19, 21 and 22 under 35 U.S.C. § 102(e) as being anticipated by Petrie et al. (U.S. Patent 6,882,904) is respectfully traversed. The Petrie et al. '904 patent discloses a communications system for managing the distribution a plurality of *dispersed electrical power resource assets* (i.e., a "micro-grid") from a central control center – not a system or method for monitoring and controlling the equipment and operation of a gas turbine power plant via a wireless mobile device as set forth in at least applicants' independent claims 10 and 16.

The Petrie '904 patent is directed toward the management only of the distribution of electrical power from multiple power generating sources to consumers and does not teach or suggest wireless monitoring and control of power plant operations as set forth by applicants' independent claims 10 and 16. Consequently, applicants strongly

contend that the Petrie '904 patent does not anticipate applicants' independent claims 10 and 16. (Although some of the power resource "assets" mentioned by Petrie et al. may include gas turbine power generators, the Petrie '904 patent is primarily directed toward connecting dispersed power resources/assets into a an intelligent optimized system that operates as an automated single power plant capable of producing the aggregated load of the individual component power generators and storage units. See, for example, the Petrie et al. '904 patent at column 3, lines 45-55 and lines 30-39.)

Moreover, Petrie et al. fail to teach or disclose "a controller coupled to said power plant to control the gas turbine...said controller receiving instructions from one of said mobile computing system and a wearable computer carried by a mobile user for controlling said gas turbine" or "instructing the controller to vary the gas turbine power plant operation in accordance with said received application software or control data or command data", as respectively set forth in applicants' independent claims 10 and 16. Consequently, the Petrie et al. '904 patent does not anticipate claims 10, 11, 16-19, 21 and 22 at least because it does not disclose every element of these claims. See Lewmar Marine, Inc. v. Bariant, Inc., 3 U.S.P.Q. 2d 1766 (Fed. Cir. 1987).

The rejection of claims 1-9, 12-15 and 20 under 35 U.S.C. §103(a) as being unpatentable over Petrie et al. (U.S. Patent 6,882,904) in view of Perkins et al. (U.S. Patent 6,496,477) is traversed. Applicants respectfully contend that Petrie et al. does not teach or suggest any aspect of applicants' invention as set forth in claims 10, 11, 16-19, 21 and 22 for at least the reasons set forth above. Moreover, applicants respectfully contend that the Perkins et al. '477 patent is primarily directed toward a process of sending real-time information from computer to computer over a data packet

transmission network using path-diversity to mitigate data packet loss and does not teach or suggest a system having a gas turbine controller "capable of receiving instructions from at least one of said mobile computer system or said wireless computer system carried by a mobile user to control the gas turbine", as set forth in applicants' independent claim 1. In addition, applicants further contend that neither the Petrie et al. '904 patent nor the Perkins et al. '477 patent, considered either alone or together, teach or suggest "a system for digitization of field service engineering work processes in a power plant having a gas turbine" or a "controller capable of receiving instructions from at least one of said mobile computer system or said wireless computer system carried by a mobile user to control the gas turbine" or "at least one terrestrial orbiting satellite antenna assembly having a transceiver system for transmitting and receiving signals from...at least one wireless communications interface device", as set forth by applicants' independent claim 1 as presently amended.

Moreover, when a rejection depends on a combination of prior art references, there must be some teaching, suggestion, or motivation to combine the references. See *In re Geiger*, 815 F. 2d 686, 688, 2 USPQ2d 1276, 1278 (Fed. Cir. 1987). No references have been cited that provide a factual basis for the conclusion of what is alleged in the Office Action as being obvious, i.e., no teaching has been provided that suggests the obviousness of modifying the communications network of Petrie et al. to contain a PBX or a VOIP gateway or an ATM network or an orbiting satellite communications antenna arrangement, etc. as claimed. Applicants respectfully contend that even if Petrie et al. and Perkins et al. could be considered "analogous art", as alleged in the Office Action, that fact alone would not be sufficient motivation to combine

the references. Applicants respectfully contend that the Office Action merely sets forth a conclusion of obviousness, not a reason supporting the alleged obviousness of the claimed invention. It is axiomatic that the PTO has a burden under §103 to establish a *prima facie* case of obviousness. See *In re Piasecki*, 745 F.2d 1468, 1471-72, 223 USPQ 785, 787-88 (Fed. Cir. 1984).

Applicants respectfully contend that the Office Action improperly relies on hindsight reconstruction of the claimed invention based on the teachings of the instant application in reaching its obviousness determination. "To imbue one of ordinary skill in the art with knowledge of the invention, when no prior art reference or references of record convey or suggest that knowledge, is to fall victim to the insidious effect of a hindsight syndrome wherein that which only the inventor taught is used against its teacher." See *W.L. Gore & Assoc. v. Garlock, Inc.*, 721 F.2d 1540, 1543, 220 USPQ 303, 312-13 (Fed. Cir. 1983). Only in view of the teachings of the instant application could the rejections possibly be maintained.

For at least the reasons set forth above, neither Petrie et al. nor Perkins et al., considered either together or alone, teach or suggest the features and steps set forth in applicants' independent claims 1, 10 and 16. Consequently, it is submitted that these claims are patentable over the cited prior. Likewise, it is submitted that applicants' dependent claims 2-9, 12-15 and 20 are similarly patentable over the combined teachings of these references for at least the same reasons as put forth with respect to applicants' independent claims.

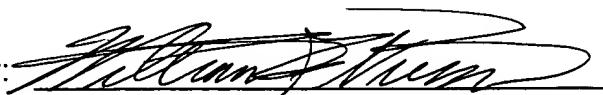
In view of Applicant's foregoing remarks, it is believed that the application is in condition for allowance. Favorable consideration and allowance of this application are

respectfully solicited. If any small manner remains outstanding, the Examiner is encouraged to telephone Applicants' representative at the telephone number listed below or on the following page.

Respectfully submitted,

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